

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F044192      People v. James**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F044192      People v. James**

The judgment of conviction is affirmed. The matter is remanded for resentencing for the trial court to decide whether to exercise its discretion under Penal Code section 1835 with regard to the Health and Safety Code section 11370.2 enhancement.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044035      People v. Wolde**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F044035      People v. Wolde**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044216      People v. Williams**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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**F044216**      **People v. Williams**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043575**      **People v. Vasquez**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F043575      People v. Vasquez**

The concurrent third strike term imposed in case No. CR13764 for count III, unlawful possession of ammunition, is stayed pursuant to section 654 pending finality of the judgment and service of sentence imposed for count II and in case NO. CR01600, such stay to become permanent upon completion of sentence. The superior court is ordered to prepare an amended abstract of judgment to so show this modification and to forward a copy to the Department of Corrections. As so modified, the judgments in case Nos. CR13764 and CR01600 are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045348      Little v. Little**

The above referenced appeal is hereby ordered dismissed as having been taken from a non-appealable order in a bifurcated family law hearing. (Fam. Code sec 2025; Cal. Rules of Court, rules 5.180(a), 41(c).)

**F032298      Wileman Bros. & Elliott, Inc. v. Lyons**

The above entitled matter is remanded to the trial court, the Tulare County Superior Court, which shall conduct further proceedings consistent with the opinion of the Supreme Court of California in *Gerawan Farming, Inc. v. Kawamura* (2004) 33 Cal.4<sup>th</sup> 1.

No costs are awarded.

**F044796      Kreis v. Sampley**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE  
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IN AND FOR THE  
Fifth Appellate District

**F045102      H & F Farms et al. v. Workers' Compensation Appeals Board and Benito Velasquez**

The petition for writ of review and respondent's request for attorney fees are denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F017001      Rath et al. v. Christensen Development Company, Inc. et al.**

The judgment (order) appealed from is affirmed. Costs on appeal are awarded to respondents. Dibiaso, Acting P.J.

We concur: Buckley, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044936      Wawona Packing Company et al. v. Workers' Compensation Appeals Board and Armando Valencia**

The petition for writ of review and respondent's request for attorney fees are both denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046041      Rebecca V. v. Merced Co. Human Services Agency**

In that petitioner has failed to file a petition for extraordinary writ, the above-entitled action is dismissed as abandoned.